

## INDIANA COMMERCIAL COURT

STATE OF INDIANA            )  
  ) SS:  
COUNTY OF MARION        )        CAUSE NO: 49D-01-1807-PL-026160

[REDACTED]

Plaintiff,

v.

ST. VINCENT MEDICAL GROUP,  
INC., ST. VINCENT CARMEL  
HOSPITAL, INC., and HANNAH  
THORNTON, R.N., N.P.,

Defendants.

**FILED**

January 3, 2019  
*Myka R. Eldridge*  
CLERK OF THE COURT  
MARION COUNTY  
RB

**ORDER GRANTING PLAINTIFF'S MOTION TO FOR PROTECTIVE ORDER  
TO DESIGNATE AND TREAT COUNSELING AND TREATMENT RECORDS  
AS ATTORNEY EYES' ONLY**

Plaintiff [REDACTED] filed her Motion for Protective Order to Designate and Treat Counseling and Treatment Records as Attorney Eyes' Only. And the Court, being duly advised in the premises, now finds that said Motion should be GRANTED.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the following documents shall be designated and treated by the parties or non-parties as "Attorneys' Eyes Only" for purposes of their use and disclosure in this case:

- A. [REDACTED] complete assessment, treatment and/or counseling records from Positive Sobriety Institute ("PSI") or any affiliate of PSI;
- B. Documents and records relating to [REDACTED] utilization of services from the Indiana State Medical Association ("ISMA"), including but not limited to any referrals for evaluation and treatment, and all communications between [REDACTED] and ISMA; and

EXHIBIT C

C. Any other mental health, psychological, substance abuse and/or addiction treatment and/or counseling records of [REDACTED].

The parties and all persons subject to this Order agree that the above information designated as “ATTORNEYS’ EYES ONLY” may only be disclosed to, accessed or reviewed by the following:

1. The Court, its personnel, and court reporters;
2. Counsel of record for any party in this action and their employees who assist counsel of record in this action and are informed of the duties hereunder;
3. The following representatives for each party, who must also sign an acknowledgement to be bound to these terms:
  - a. For Plaintiff: N/A
  - b. For Defendant(s): [identify in-house attorney]
4. Experts or consultants employed by the parties or their counsel for purposes of this action, so long as each such expert or consultant has signed an acknowledgment to be bound to these terms; and
5. Other witnesses or persons to whom the Designating Party agrees in advance of disclosure or by court order.

Defendants’ counsel shall return all documents marked as “Attorneys’ Eyes Only” to Plaintiff’s counsel within ten (10) days of the dismissal of this action or expiration of all deadlines for appeal.

All terms of the Stipulated Protective Order entered by the Court on December 7, 2018, remain in effect and are incorporated by reference herein.

The Court finds that Dr. Shoemaker, Chief Med. Officer of SVMG and Dr. Priddy, Former Chief Med. Officer of SVCH may view these sensitive documents as representatives of the Defendant but the Court DENIES the request that Nurse Thornton view these highly sensitive records

So Ordered.

DATED: January 3, 2019

Heather A. Welch

The Hon. Heather A. Welch  
Marion Superior Court No. 1

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